

REMARKS**Overview**

Claims 1-50 are pending in this application. Claims 1, 4-6, 8-10, 25, 28, 36-38 and 50 have been amended. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

Issues Under 35 U.S.C. § 112

Claims 36 and 37 had been rejected under 35 U.S.C. § 112 for failing to provide proper antecedent basis for the limitation of "the voice transceiver." (Office Action, page 2, numbered paragraphs 1-2). Therefore, claims 36 and 37 have been amended to now depend from claim 13 which provides proper antecedent basis for the limitation of "the voice transceiver." Therefore, it is respectfully submitted that these rejections should be withdrawn.

Issues Under 35 U.S.C. § 102

Claims 35-27, 29, 38-41, 43, and 45-49 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U. S. Patent No. 5,983,073 to Ditzik.

Claim 25 has been amended to require that the handsfree voice communication unit comprises "a plurality of sensors." As Ditzik does not disclose a plurality of sensors, this rejection must be withdrawn. It is particularly noted that the earset unit 34 of Ditzik is described at column 8, lines 16-58. Ditzik discloses that its earset 34 includes an "audio microphone." Ditzik does not disclose the use of multiple input sensors such as multiple microphones or an air conduction sensor and a bone conduction sensor. Therefore, it is respectfully submitted that this rejection to claim 25 must be withdrawn. As claims 26-27 and 29 depend upon claim 25, it is respectfully submitted that these rejections should also be withdrawn.

There is also an independent reason for patentability of claim 29. Claim 29 requires "identifying the handsfree voice communication signal." Ditzik does not disclose this limitation. Ditzik merely discloses that the earset communicates through a small low power RF transceiver and does not disclose that the communication process involves identifying the particular earset. This limitation is not explicitly disclosed in Ditzik and is not inherent because it is not necessarily present. For example, in Ditzik the earset could merely be set at a particular matching frequency so that communication would occur without identifying the earset. Therefore, it is respectfully submitted that this rejection must be withdrawn for this independent reason as well.

With respect to claim 38, claim 38 has been amended to require "a short-range transceiver disposed within the removeable card body and adapted for two-way voice communications with a handsfree voice communication unit." This limitation is not disclosed in Ditzik. The Examiner is correct in that Ditzik discloses a PCMCIA PC card 40. Col. 4, lines 50-59 disclose that the PC card may be used for adding a fax/modem or a network interface. Ditzik does not disclose that the card is used for communication with a handsfree voice communication unit. The only type of wireless communication that Ditzik discloses for the card is for a network interface. Therefore, it is respectfully submitted that this rejection to claim 38 must be withdrawn. As claims 39-41 depend from claim 38, these rejections should also be withdrawn.

There is also an independent reason for allowability of claim 40. Claim 40 requires "a voice transceiver disclosed within the body and adapted for communications over a voice communication network." Thus, claim 40 requires a second transceiver. Ditzik does not disclose a PCMCIA card with multiple transceivers. Therefore, it is respectfully submitted that this rejection must also be withdrawn for this independent reason.

With respect to claim 43, this rejection is respectfully traversed. Claim 43 explicitly requires "receiving an identifier from a handsfree voice communication unit at the computer over a short-range first communication channel" and "granting access based on the identifier." The Examiner does not point to any specific disclosure within Ditzik for any of these limitations. The Examiner appears to believe that these limitations are met inherently as the Examiner states that "in order for said earset to communicate with the computer via the short-range link said computer must identify said earset thus there will be an identifier such that said computer can identify said earset" (Office Action, page 5, first paragraph). The Applicant disagrees. In particular, these limitations are not explicitly present and are not inherently present. For example, the earset of Ditzik does not necessarily have to have an identifier, instead, the earset may merely be tuned to a specific frequency. Thus, it is respectfully submitted that this rejection must be withdrawn. As claims 45-49 depend from claim 43, it is respectfully submitted that this rejection should also be withdrawn.

Issues Under 35 U.S.C. § 103

Claims 1, 3, 5, 10-24, 36 and 50 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,983,073 to Ditzik in view of U. S. Patent No. 6,112,103 to Puthuff. These rejections are respectfully traversed.

Claim 1 has been amended to require "wherein the handsfree voice communication device unit comprises a plurality of input sensors." To provide proper antecedent basis, claims 4, 5, 6, 8, 9, and 10 have been amended as well. This rejection to claim 1 must be withdrawn as neither Ditzik nor Puthuff disclose a handsfree voice communication device having a plurality of input sensors. Therefore, it is respectfully submitted that this rejection must be withdrawn. As

claims 3, 5, 10-24 depend from claim 1, it is respectfully submitted that these rejections must also be withdrawn.

Claim 50 has also been amended to require "the handsfree device comprising a plurality of input sensors." This limitation is not disclosed in either Ditzik or Puthuff. Therefore, this rejection should also be withdrawn.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,983,073 to Ditzik in view of U. S. Patent No. 6,112,103 to Puthuff as applied to claim 1, and further in view of U. S. Patent No. 5,982,904 to Eghtesadi et al. The deficiencies of Ditzik in view of Puthuff have already been addressed. Eghtesadi does not remedy these deficiencies, in particular, Eghtesadi does not disclose that a headset includes multiple input sensors. Eghtesadi merely discloses a headset with a microphone. Therefore, this rejection to claim 2 must be withdrawn.

Claims 4, 6, and 7-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,983,073 to Ditzik in view of U. S. Patent No. 6,112,103 to Puthuff and further in view of U. S. Patent No. 4,588,867 to Konomi. This rejection is respectfully traversed.

In particular, although Konomi disclose a bone conduction sensor, neither Konomi, nor Ditzik, nor Puthuff disclose a handsfree communication unit with a plurality of input sensors. Therefore, it is respectfully submitted that this rejection must also be withdrawn.

Claims 28, 31-35 and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,983,073 to Ditzik in view of U. S. Patent No. 4,588,867 to Konomi. These rejections are respectfully traversed.

With respect to claim 28, it is noted that claim 28 depends from amended claim 25 that requires that the handsfree voice communication unit include "a plurality of sensors." Neither

Ditzik nor Konomi discloses such a plurality of sensors. Therefore, this rejection to claim 28 must be withdrawn.

With respect to claim 31, neither Ditzik nor Konomi disclose "creating a voice sound signal at least partially based on the bone conduction signal at the computer." Therefore, this rejection to claim 31 must be withdrawn.

There is independent reason for patentability of claim 32. Claim 32 further requires "transducing an air conduction signal wherein the voice sound signal is at least partially based on the air conduction signal." Neither Ditzik nor Konomi disclose both use of an air conduction signal and a bone conduction signal. Therefore, this rejection must be withdrawn on this independent basis.

There is an independent reason for allowability of claim 35. Claim 35 uses both an air conduction signal and a bone conduction signal, however, the air conduction signal is transduced at the computer. Thus, the voice sound signal is based upon the air conduction signal transduced at the computer and the bone conduction signal transduced in the earpiece. Neither reference discloses combining multiple signals to form a voice sound information signal, let alone combining a bone conduction signal with an air conduction signal, let alone combining an air conduction signal sensed at a computer and the bone conduction signal sensed at an earpiece. Therefore, for all these reasons, this rejection to claim 34 must be withdrawn.

With respect to claim 42, the Examiner recognizes that neither Konomi nor Ditzik disclose having both an air conduction sensor and a bone conduction sensor. In fact, both Konomi and Ditzik have only one sensor. Therefore, it is respectfully submitted that neither reference alone nor in combination support the idea of having multiple sensors in communication with a short-range transceiver at the same time. The Examiner is merely engaging in improper

hindsight and does not provide any convincing line of reasoning for making the combination. Therefore, it is respectfully submitted that this rejection to claim 42 must also be withdrawn.

Claims 30 and 44 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,983,073 to Ditzik in view of U. S. Patent No. 5,913,196 to Talmor et al. Claim 30 depends from claim 25, the deficiencies of which have already been addressed. Talmor does not remedy these deficiencies, therefore, it is respectfully submitted that claim 30 should also be allowed. It is further submitted that Talmor simply does not disclose comparing the voice sound information to voice sound information from a known source for security purposes in the context of a handsfree voice communication device. Therefore, the Examiner has not established proper motivation or suggestion to combine these references and it is respectfully submitted this rejection should be withdrawn for this independent reason as well.

With respect to claim 44, claim 44 depends from claim 43. The deficiencies of Ditzik with respect to claim 43 have already been discussed. Talmor does not remedy these deficiencies. Therefore, it is respectfully submitted that this rejection must be withdrawn for this reason.

Moreover, there is an independent reason for allowability of claim 44 in that the Examiner relies upon an improper combination of Ditzik with Talmor as Talmor is not in the context of a handsfree voice communication unit and the Examiner therefore has failed to provide proper motivation and suggestion to combine.

Claim 37 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,983,073 to Ditzik in view of U. S. Patent No. 6,112,103 to Puthuff and further in view of U. S. Patent No. 5,943,324 to Ramesh et al. This rejection is respectfully traversed.

The deficiencies of Ditzik in combination with Puthuff have already been described. Ramesh does not remedy these deficiencies, therefore, it is respectfully submitted that this rejection must be withdrawn.

This is also a request to extend the period for filing a response in the above-identified application for one month from January 13, 2005 to February 13, 2005. Applicant is a small entity; therefore, please charge Deposit Account number 26-0084 the amount of \$60.00 to cover the cost of the one month extension. Any deficiency or overpayment should be charged or credited to Deposit Account 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

John D. Goodhue

JOHN D. GOODHUE, Reg. No. 47,603
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No: (515) 288-3667
Fax No: (515) 288-1338
CUSTOMER NO: 22885

Attorneys of Record

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